

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, OCTOBER 7, 2003**  
**COUNTY COMMISSIONERS CHAMBERS, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

Commissioners Present: Bernie Heier, Chair  
Ray Stevens, Vice Chair  
Larry Hudkins  
Deb Schorr  
Bob Workman

Others Present: Kristy Mundt, Deputy County Attorney  
Diane Carlson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Chief Deputy County Clerk  
Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m.

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, September 30, 2003.**

**MOTION:** Schorr moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated September 30, 2003. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

Presentation of the Commissioners Award of Excellence was made to Jill Alley, an employee with Lancaster Manor, for September, 2003.

Commissioner Schorr announced the recent award of a SAMSHA grant to Lancaster County and the County Department of Human Services in the amount of \$1.5 million. Schorr explained that the grant will be used to expand the Mother and Child Project, involving Friendship Home and St. Monica's.

The Board welcomed former County Commissioner Darlene Tussing to the Chambers.

- 3) **PUBLIC COMMENT: The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments shall be limited to items on the agenda.**

Bruce Bohrer, representing the Lincoln Chamber of Commerce appeared to express his organization's concerns over the nominations before the Board of Commissioners for representation on the Lincoln-Lancaster County Planning Commission.

Mr. Charlie Claus, representing the Lincoln Independent Business Association (LIBA), appeared and expressed his organizations concern over the change in balance that would occur with the appointment of the three proposed nominees of the Lincoln-Lancaster County Planning Commission.

4) **CLAIMS: Approval of all claims processed through Tuesday, October 7, 2003.**

**MOTION:** Hudkins moved and Stevens seconded approval of all claims processed through October 7, 2003. Workman, Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

5) **PUBLIC HEARINGS:**

- A. Purchases for a 2003 Local Enforcement Block Grant. The Lancaster County Sheriff's Office proposes purchasing a mobile communications/command center for use during major incidents and other situations involving the Sheriff's Office Tactical Response Unit.**

The Chair opened the public hearing.

Chief Deputy Bill Jarrett appeared and briefly explained the purpose of the Local Enforcement Block Grant and the requirement for this public hearing. Jarrett indicated the County's matching funds would not be allocated from the 2003-2004 fiscal years budget, but would be allocated in fiscal 2004-2005.

The Chair asked if anyone wished to provide additional testimony either in favor or in opposition to the purchase of a mobile communications/command center.

The Chair closed the public hearing.

**MOTION:** Workman moved and Hudkins seconded approval to submit a 2003 Local Enforcement Block Grant for the purchase of a mobile communications and command center vehicle. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

6) **NEW BUSINESS:**

- A. An application for a Special Designated License from B & B-Q Inc. d/b/a Cheerleaders to hold a wedding reception on Friday, October 24, 2003 from 5 p.m. to 1 a.m. at Country Pines located at 6305 West Adams Street, Lincoln, Lancaster County, Nebraska.**

**MOTION:** Schorr moved and Stevens seconded approval of the SDL application from B & B-Q Inc. d/b/a Cheerleaders to hold a wedding reception on Friday, October 24, 2003 from 5 p.m. to 1 a.m. at Country Pines. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

- B. A grant contract with Lincoln Council on Alcoholism and Drugs, Inc. for funding for the Substance Abuse Prevention Education, in the amount of \$32,000, and the Substance Abuse Evaluation program, in the amount of \$5,000. The total amount of the grant will be \$37,000. Term of the grant contract is July 1, 2003 to June 30, 2004. (C-03-0513)**

**MOTION:** Stevens moved and Workman seconded approval of a grant contract with Lincoln Council on Alcoholism and Drugs Inc. for the Substance Abuse Prevention Education grant and for the Substance Abuse Evaluation program. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

- C. A grant contract with Lincoln Medical Education Foundation (Family Violence Council) for funding for the oversight and management of the Coordinated Response to Reducing Domestic Violence program (02-VW-719), in the amount of \$15,379. The Family Violence Council will contribute \$5,175 in matching funds which may include cash or in-kind services. Term of the grant contract is June 1, 2003 to May 31, 2004. (C-03-0514)**

**MOTION:** Hudkins moved and Stevens seconded approval of a grant contract with the Lincoln Medical Education Foundation (Family Violence Council) for funding of oversight and management of the Coordinated Response to Reducing Domestic Violence Program. Schorr, Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

- D. An agreement with the Village of Bennet authorizing the County to assign addresses to residences in the Village's one-mile zoning jurisdiction in accordance with the County's Uniform Rural Address System. The County will be able to uniformly provide addresses which will assist emergency services when responding to residences in the County. (C-03-515)**

**MOTION:** Schorr moved and Hudkins seconded approval of an agreement with the Village of Bennet authorizing the County to assign addresses to residences in the Village's one-mile zoning jurisdiction in accordance with the County's Uniform Rural Address System. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

- E. An agreement with the Village of Panama authorizing the County to assign addresses to residences in the Village's one-mile zoning jurisdiction in accordance with the County's Uniform Rural Address system. The County will be able to uniformly provide addresses which will assist emergency services when responding to residences in the County. (C-03-0516)**

**MOTION:** Hudkins moved and Stevens seconded approval of an agreement with the Village of Panama authorizing the County to assign addresses to residences in the Village's one-mile zoning jurisdiction in accordance with the County's Uniform Rural Address system. Stevens, Hudkins, Schorr, Workman and Heier voted aye. Motion carried.

- F. Execution of a lease purchase agreement and related documents and a resolution approving the execution of a lease purchase agreement with Nebraska Association of County Officials (NACO) Leasing Corporation for the acquisition of one (1) Kodak i9610 Archive Writer complete with attachments, accessories, and installation to be utilized by County Records Management. The lease purchase agreement will begin October 9, 2003 and end October 15, 2008. The principal is \$51,699 with an interest rate of 3.150 percent. Payment will be made semiannually in the amount of \$5,631.14. Total payment amount is \$56,311.47. (C-03-517) (R-03-0104)**

**MOTION:** Hudkins moved and Schorr seconded approval of the execution of a lease purchase agreement and related documents and a resolution approving the execution of a lease purchase agreement with Nebraska Association of County Officials (NACO) Leasing Corporation for the acquisition of one (1) Kodak i9610 Archive Writer complete with attachments, accessories, and installation to be utilized by County Records Management. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

- G. A contract between the Lancaster County Engineering Department and Johnson Appraisal, L.L.C., in the amount of \$8,600, in connection with Project C55-A-401(5), North 162<sup>nd</sup> Street from Salt Creek to Davey Road. (C-03-0522)**

**MOTION:** Workman moved and Hudkins seconded approval of a contract between the Lancaster County Engineering Department and Johnson Appraisal, LLC in connection with Project C55-A-401(5), North 162<sup>nd</sup> Street from Salt Creek to Davey Road. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

- H. **A grant contract with Nebraska Legal Services for funding for the Family Law program, in the amount of \$28,200. Term of the grant contract is July 1, 2003 to June 30, 2004. (C-03-0523)**

**MOTION:** Schorr moved and Hudkins seconded approval of a grant contract with Nebraska Legal Services for funding of the Family Law Program. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

- I. **An agreement with Health Partners Initiative on behalf of the Community Mental Health Center relating to a grant application for the "Healthy Communities Access Program". The total amount of the agreement will be \$2,000. The length of the agreement will be from July 1, 2003 through November 30, 2003. (C-03-0524)**

**MOTION:** Stevens moved and Hudkins seconded to approve an agreement with Health Partners Initiative on behalf of the Community Mental Health Center relating to a grant application for the Health Communities Access program. Hudkins, Schorr, Stevens, Workman and Heier voted aye. Motion carried.

- J. **A grant contract with Lincoln Action Program, Inc. for funding to provide management of the project and grant funds for the Youth Violence Alternative program (03-JS-430), in the amount of \$22,650. Term of the grant contract is July 1, 2003 to June 30, 2004. Lincoln Action Program Inc. will contribute \$10,378 in matching funds which may include cash or in-kind services. (C-03-0525)**

**MOTION:** Stevens moved and Schorr seconded approval of a grant contract with Lincoln Action Program, Inc. for funding to provide management of the project and grant funds for the Youth Violence Alternative program. Schorr, Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

- K. **A resolution increasing the amount employees may designate for unreimbursed medical expenses in their Flexible Employee Benefit Account (FEBA) from \$3,500 to \$4,500 per plan year. (R-03-0105)**

**MOTION:** Stevens moved and Hudkins seconded approval of a resolution increasing the amount employees may designate for unreimbursed medical expenses in their Flexible Employee Benefit Account (FEBA) from \$3500 to \$4500 per plan year. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

- L. **A resolution in the matter of prohibiting engine braking on public roads within Lancaster County, Nebraska. (R-03-0106)**

**MOTION:** Hudkins moved and Stevens seconded approval of a resolution prohibiting engine braking on public roads within Lancaster County, Nebraska. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

**M. A claim by the City of Lincoln against Lancaster County requesting the County to adjust a claim filed against the City by BryanLGH Medical Center for medical expenses, in the amount of \$162,816.65.**

**MOTION:** Stevens moved and Schorr seconded to deny the claim by the City of Lincoln against Lancaster County requesting the County adjust a claim filed against the City by BryanLGH Medical Center for medical expenses in the amount of \$162,816.65. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

**N. A claim by the City of Lincoln against Lancaster County requesting the County to adjust a claim filed against the City by BryanLGH Medical Center for medical expenses, in the amount of \$116,913.66.**

**MOTION:** Schorr moved and Hudkins seconded to deny the claim by the City of Lincoln against Lancaster County requesting the County adjust a claim filed against the City by BryanLGH Medical Center for medical expenses in the amount of \$116,913.66. Workman, Schorr, Stevens, Hudkins and Heier voted aye. Motion carried.

**N. Request of Cline, Williams, Wright, Johnson & Oldfather, L.L.P. to receive consent of the County to waive a potential or actual conflict in representing the County in connection with the Chapter 11 bankruptcy proceeding of Worldcom, Inc. and Cricket Communications, Inc.. The firm currently represents the Housing Authority of the City of Lincoln and its affiliates on certain real estate tax appeals to the Tax Equalization Review Commission (TERC) in which Lancaster County is named defendant.**

**MOTION:** Hudkins moved and Stevens seconded to waive the potential or actual conflict of Cline, Williams, Wright, Johnson & Oldfather L.L.P. in representing the County in connection with the Chapter 11 bankruptcy proceeding of Worldcom, Inc. and Cricket Communications Inc. Stevens, Hudkins, Schorr, Heier voted aye. Workman abstained. Motion carried.

**O. Appointment of Sitaram Jaswal to the Air Pollution Control Advisory Board for a three year term to expire September 1, 2006.**

**MOTION:** Schorr moved and Stevens seconded to approve the appointment of Sitaram Jaswal to the Air Pollution Control Advisory Board for a three year term to expire September 1, 2006. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

**P. Reappointment of Barry Moore and appointment of Dr. Gregory Kallos to the Lincoln Area Agency on Aging Advisory Council for three year terms expiring July 1, 2006.**

**MOTION:** Stevens moved and Schorr seconded to approve the reappointment of Barry Moore and the appointment of Dr. Gregory Kallos to the Lincoln Area Agency on Aging Advisory Council for three year terms expiring July 1, 2006. Workman, Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

**Q. Appointment of Jennifer J. Brinkman and Lynn Sunderman and the reappointment of W. Cecil Steward to the Lincoln-Lancaster County Planning Commission for six year terms expiring August 24, 2009.**

**MOTION:** Workman moved for the approval of the appointments of Jennifer J. Brinkman and Lynn Sunderman, and the reappointment of W. Cecil Steward to the Lincoln-Lancaster County Planning Commission for six year terms expiring August 24, 2009. The motion failed for lack of a second.

**MOTION:** Hudkins moved and Schorr seconded the appointment of Lynn Sunderman to the Lincoln-Lancaster County Planning Commission for a six year term expiring August 24, 2009. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

**MOTION:** Stevens moved and Schorr seconded to deny the appointment of Jennifer Brinkman and the reappointment of W. Cecil Steward to the Lincoln-Lancaster County Planning Commission. Schorr, Stevens, Hudkins and Heier voted aye. Workman voted nay. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

**A. Setting of public hearings for Tuesday, October 21, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:**

1. County Miscellaneous 03011, requested by the Director of Planning, to amend the County Subdivision Resolution to add a postponement fee.
  2. City-County Final Plat 03016, View Pointe North, requested by Lyle Loth of ESP on behalf of Willard Giebenrath, consisting of 14 lots and 5 outlots, on property generally located at North 70<sup>th</sup> Street and Waverly Road.
- B. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:
- \* Greta Dudley, Wilma Monnington and Donna Clements, in the total amount of \$6,780, on Waverly Road from North 141<sup>st</sup> Street to North 148<sup>th</sup> Street; Project C55-H-404(2). (2 contracts) (C-03-0518 and C-03-0519)
  - \* Richard and Mary McClung, in the total amount of \$264.25, on Northwest 84<sup>th</sup> Street from Adams Street to Highway 34; Project C55-EM-401(1). (2 contracts) (C-03-0520 and C-03-0521)

**MOTION:** Stevens moved and Hudkins seconded approval of the Consent Items. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

The County Board requested that Mr. Lynn Sunderland come forward and be recognized. The Board welcomed Mr. Lynn Sunderland and expressed their appreciation for his willingness to serve on the Lincoln-Lancaster County Planning Commission.

8) **EMERGENCY ITEMS AND OTHER BUSINESS:**

There were no emergency items or other business to come before the Board.

11) **ADJOURNMENT:**

**MOTION:** Stevens moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:23 p.m.. Hudkins, Workman, Stevens, Schorr and Heier voted aye. Motion carried.

---

Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, OCTOBER 7, 2003  
COUNTY COMMISSIONERS CHAMBERS, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS MEETING**

The Lancaster County Board of Equalization meeting was called to order at 2:24 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, September 30, 2003.**

**MOTION:** Hudkins moved and Schorr seconded to approve the minutes of the Board of Equalization meeting held on Tuesday, September 30, 2003. Schorr, Hudkins, Workman, Stevens and Heier voted aye. Motion carried.

- 2) **PUBLIC COMMENT: The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments shall be limited to items on the agenda.**

No one appeared for the public comment agenda item and the meeting proceeded.

- 3) **ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS:**

**Approval of 102 additions and deductions to the tax assessment rolls per Exhibit A.**

**MOTION:** Stevens moved and Hudkins seconded to approve the 102 additions and deductions to the tax assessment rolls per Exhibit A. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

- 4) **MOTOR VEHICLE TAX EXEMPTIONS:**

**First Presbyterian Church  
St. Paul United Methodist Church  
St. Thomas Aquinas Church**

**MOTION:** Stevens moved and Schorr seconded to approve the motor vehicle tax exemptions for First Presbyterian Church, St. Paul United Methodist Church and St. Thomas Aquinas Church. Workman, Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

5) **SETTING OF PUBLIC HEARING FOR NOTICE OF VALUATION CHANGE:**

Setting of a public hearing for Tuesday, October 21, 2003 immediately following the regular meeting of the Board of Commissioners, which begins at 1:30 p.m., in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for the following individuals:

**Fourth Presbyterian Church (2 notices)  
Michael R. Moser and John Morehouse**

**MOTION:** Workman moved and Stevens seconded to set the public hearing for notice of valuation change for omitted or undervalued property for Fourth Presbyterian Church (2 notices) and Michael R. Moser and John Morehouse, for October 21, 2003 immediately following the regular meeting of the Board of Commissioners which begins at 1:30 p.m. Hudkins, Stevens, Workman, Schorr and Heier voted aye. Motion carried.

6) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY FOR THE FOLLOWING:**

**Monte D. and Shari K. Wilson (2 notices)  
Clinton K. Pebley  
Jon C. and Kendra K. Wofford  
John Kalkwarf and Marilyn Buzby  
Bradley and Kelly Whiteley**

**Jared L. and Sara J. Wilkinson  
Barbara Burr  
Runza National Inc.  
Carol and Lisa Morones  
James E and Anna M. Kessler**

**MOTION:** Hudkins moved and Schorr seconded to approve the recommendations of the County Assessor/Register of Deeds for notice of valuation changes for omitted or undervalued property for Monte D. and Shari K. Wilson (2 notices); Jared L. and Sara J. Wilkinson; Clinton K. Pebley; Barbara Burr; Jon C. and Kendra K. Wofford; Runza National Inc.; John Kalkwarf and Marilyn Buzby; Carol and Lisa Morones; Bradley and Kelly Whiteley; James E. and Anna M. Kessler. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

7) **ADJOURNMENT:**

**MOTION:** Workman moved and Hudkins seconded to adjourn the Lancaster County Board of Equalization at 2:26 p.m. Stevens, Workman, Hudkins, Schorr and Heier voted aye. Motion carried.

---

Bruce Medcalf  
County Clerk